

SECOND AMENDED
APPLICATION FOR PERMIT

Nº 33231

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... AUG 19 1977
Returned to applicant for correction..... FEB 6 1978
Corrected application filed..... FEB 17 1978
Map filed..... OCT 12 1977 under 33228

The applicant..... Robert E. and Shirley S. Duval
..... Fish Lake Valley....., of..... via Tonopah.....
..... Street and No. or P.O. Box No. City or Town
..... Nev. 89049....., hereby make.... application for permission to appropriate the public
..... State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... Underground (Well).....
..... Name of stream, lake or other source.
2. The amount of water applied for is..... 1 cfs..... second-feet
..... One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet..... acre-feet
3. The water to be used for..... Irrigation and Domestic.....
..... Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
(a) Irrigation (state number of acres to be irrigated)..... 120 ac.
(b) Stockwater (state number and kinds of animals to be watered).....
(c) Other use (describe fully under "No. 12. Remarks").....
(d) Power:
(1) Horsepower developed.....
(2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, T.1S.,
R.35E., MDB&M, or at a point from which the West $\frac{1}{4}$ Cor. of said
..... Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
Sec. 28 bears S. 77° 00' W, 600 ft.
..... it should be stated.
6. Place of use. SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, T.1S., R.35E.
..... Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about..... Jan. 1st..... and end about..... Dec. 31st....., of each year.
..... Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well, motor and pump, irrigation sprinklers.
..... State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works.....\$10,000.....
- 10. Estimated time required to construct works.....3 yrs.....
- 11. Estimated time required to complete the application to beneficial use.....5 yrs.....
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

New well to replace existing well.

Applicant Robert E. & Shirley S. Duval
Pro. 5/5/78 by Arlemont Ranch

By s/ J.V. Caselli, Agent
P.O. Box 201
Goldfield, Nev. 89013

Compared 1p/ga

DENIAL OF STATE ENGINEER

DENY

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ the same, subject to the following limitations and conditions:

This application is herewith denied on the grounds that the appropriation of additional ground water for irrigation and use of the water applied for and requested from the area described in the application would tend to impair the value of existing rights and be otherwise detrimental to the public interest and welfare.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

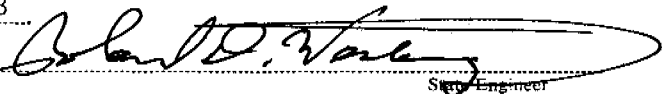
Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No.....Issued.....
Recorded.....Bk.....Page.....
County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 5th day of OCTOBER

A.D. 19 78

State Engineer